

FISCAL MEMORANDUM
HB 2860 – SB 3213

April 14, 2008

SUMMARY OF AMENDMENT (016440): Deletes “pursuant to § 40-7-123” from the amendatory language of Section 1(c) of the original bill. Deletes the requirement that the jailor determine, if possible, the citizenship status of a person charged with a felony or second or subsequent DUI violation. Retains requirement for presumption of flight risk when bail is set for an illegal alien.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures* - Exceeds \$100,000

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

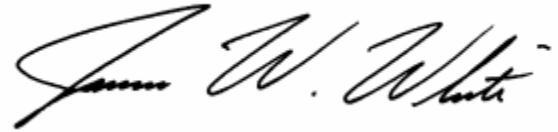
Assumptions applied to amendment:

- No reliable data are available on the number of illegal aliens in Tennessee. According to an August, 2007, report by the Comptroller of the Treasury, *Immigration Issues in Tennessee*, p. i, citing data from the Pew Hispanic Center, approximately 100,000 – 150,000 unauthorized aliens resided in Tennessee in 2005.
- Local governments will incur a significant additional cost for incarceration due to higher bail for the presumption of flight risk. According to the Comptroller, these expenditures are estimated to exceed \$100,000 per year.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/lsc